

STATE PROCUREMENT OFFICE
 PROCUREMENT OF HEALTH AND HUMAN SERVICES
 CHAPTER 103F, HRS
RESTRICTIVE SERVICES METHOD OF PROCUREMENT

Brief Description:	Award without competition when certain conditions are met.
Bases for Use:	<p>Bases for restrictive purchase include, but are not limited to:</p> <ol style="list-style-type: none"> 1. Need for a service in a geographic area available from only one provider. 2. Need for a service with a unique cultural approach designed for a limited target group available from only one provider. 3. Only one provider satisfies limitations imposed by funding source.
Procedures:	<p>The head of the purchasing agency submits a written notice and request for restrictive purchase of service to the chief procurement officer.</p> <p>Upon receipt by the chief procurement officer, the notice and request shall be posted on a central website for a minimum of seven days before any approval action is taken.</p> <p>After the notice has been posted for seven days, the chief procurement officer shall review the request. If approved, no action to award the contract shall take place until two days after the protest submittal deadline. The status of the request shall be posted to the website where the request and notice are posted.</p>
Solicitation Required:	No. However, public notice of intention to utilize a restrictive or sole source contract must be posted.
Term Limit of Contract:	Two years or, upon finding of good cause by the chief procurement officer, three years.
Monetary Cap:	Limited to availability of funds
Approval Required:	Yes. Head of purchasing agency makes a written determination and submits request for approval to chief procurement officer.
Protest:	Yes. Failure to follow Chapter 103F, HRS or administrative rules may be protested and shall be submitted in accordance with Chapter 3-148, HAR. Submittal deadline for submission of protests shall be the seventh day after the notice is posted. There is also a request for reconsideration process.
Posting/Reporting Requirements:	Awards shall be posted within five working days of contract execution to the contracts database (CDRS).
Other Comments:	None of the following alone shall constitute an adequate basis for a restrictive purchase of services: 1) the fact that a particular provider is or has been furnishing services to a purchasing agency; 2) the potential loss of funds at the end of a fiscal year; or 3) a purchasing agency's failure to plan ahead sufficiently in order to issue a request for proposals
Reference:	<p>Hawaii Revised Statutes</p> <p>§103F-403, §103F-501, §103F-502, §103F-503 §103F-504</p> <p>and Hawaii Administrative Rules</p>

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Restrictive Purchase of Services Method of Procurement
for Health and Human Services

